



PATENT
Customer No. 22,852
Attorney Docket No. 07738.0147-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Grant E. DUBOIS et al.) Group Art Unit: 1761
Application No.: 09/838,809) Examiner: C. Paden
Filed: April 20, 2001)
For: NON CALORIC FROZEN) Confirmation No. 3526
CARBONATED BEVERAGE)

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

AMENDMENT AND REPLY TO OFFICE ACTION

In furtherance of the Request for Continued Examination filed concurrently herewith, and in response to the final Office Action dated August 19, 2004, the period for response having been extended by the three (3) month petition for extension of time and fee filed herewith, please amend the above-identified application, without prejudice, as follows:

Amendments to the Specification begin at page 2 of this paper.

Amendments to the Claims follow the Amendments to the Specification.

Remarks follow the Amendment Sections of this paper.

Attachments to this amendment include:

Exhibit A – Copy of the claims as originally filed
Exhibit B – Declaration under 37 C.F.R. § 1.131